



Brown Paindiris & Scott, LLP

Attorneys At Law

Reply to Bristol

Bruce E. Newman
Attorney at Law

VIA ECF

The Honorable Charles R. Breyer
United States District Court
Northern District of California
450 Golden Gate Avenue
San Francisco, CA 94102

Re: *In Re Volkswagen "Clean Diesel" Marketing
Sales Practices and Products Liability
Litigation*, MDL 2672
(Application of Bruce E. Newman for Steering Comm.)

Dear Judge Breyer:

For a quarter of a century I have been involved in class actions and coordinated proceedings in addition to handling individual plaintiff's product liability claims and other complex litigation matters. I have extensive litigation experience and have successfully tried cases in California, New York, and Connecticut. This letter is submitted in response to Pretrial Order No. 2 for the purposes of requesting a position on a steering committee representing vehicle owners, as our clients in this litigation, hailing from the Northeast and Florida, are primarily vehicle owners. I would also be honored to represent the interests of all plaintiffs as the Court sees fit.

In the early 1990s I represented the Hazlett class of plaintiffs in the *Sconce Coordinated Proceedings*, related to *Christiansen v. Superior Court*, 54 Cal. 3d 868 (1991). These cases involved the unauthorized mishandling of cremation remains by groups of funeral homes. From 1995 through 1997 I represented plaintiffs in the *Proplast TMJ Implant Litigation*, an early defective medical products liability case involving consumers who were implanted with a defective condyle in their jaws which had to be surgically removed. During this time period I also represented plaintiffs who were defrauded through misrepresented plan and financial projection figures *In Re: Prudential Securities*. I acted as plaintiffs' class counsel in the matter of *In Re: Pet Food Prods. Liability Litigation*, 629 F.3d 333 (3d Cir. 2010) where a \$24 million settlement was achieved in the aftermath of the recall of over 100 brands of pet food and argued one of the few contested motions in that case. I have been designated as plaintiffs' class liaison counsel in several Connecticut state court matters, including *Randle, et al. v. EDAC Technologies Corp.*, *Behn, et al. v. Giles (Gerber Scientific)*, and *DeMuth, et al. v. Presstek, Inc.*, which are shareholder class actions.

Bruce E. Newman
bnewman@bpslawyers.com

www.bpslawyers.com

747 Stafford Avenue, Bristol, CT 06010
100 Pearl Street, Hartford, CT 06103
2252 Main Street, Glastonbury, CT 06033

t: 860.589.4417 f: 860.589.5780
t: 860.522.3343 f: 860.522.2490
t: 860.659.0700 f: 860.652.4382

I am currently lead counsel in a state consumer class action, *Flynn, et al. v. Directv, LLC, et al.*, US District Court for the District of Connecticut, Case No. 3:15-cv-01053-JAM and am serving as lead counsel in a class action involving federal and state wage claims, *McCormick, et al. v. American Cruise Lines, Inc.*, US District Court for the District of Connecticut, Case No. 3:15-cv-741 VLB. I currently represent plaintiffs in the *In Re: DePuy Orthopaedics, Inc., Pinnacle Hip Implant Products Liability Litigation*, MDL No. 2244. I am also presently serving as plaintiffs' class counsel in *Adkins, et al. v. Nestle Purina Petcare Company, et al.*, United States District Court for the Northern District of Illinois, Case Number 1:12CV2871, where disbursement is pending for a \$6.5 million settlement in consolidated cases involving claims of pet owners who had dogs die or become ill after ingesting toxic dog treats. The judge in that matter is the Honorable Robert W. Gettleman, 219 South Dearborn Street, Chicago, IL, and a judicial contact for Connecticut State Court class action matters is the Honorable William H. Brite, 69 Brooklyn Street, Rockville, CT 06066.

I am a partner at Brown, Paindiris & Scott, LLP which is a 20 lawyer firm that carries Martindale Hubbell's preeminent AV* rating. Brown, Paindiris & Scott is also listed as a US News and World Report Best Law Firm in Hartford, CT. As a firm that has been in existence since 1977, we are fully ready, willing and able to immediately commit our resources to this litigation. Indeed, as a firm we made a conscious decision to file the first action in Connecticut and actually one of the first cases in all of New England. As a group of lawyers, we collectively agreed on the importance of this case at the outset both in terms of the scope of the impact to consumers nationwide as well as the concern for the environment. Moreover, the despicable corporate conduct involved in this case has inspired our unified desire to attain a just remedy for affected vehicle owners.

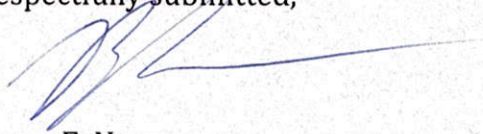
We knew that this would be a monumental undertaking and consume huge amounts of our firms' time, resources and expenses. Due to our interest in protecting the public, we have been committed from the outset to achieving the best possible result for plaintiffs in this litigation. We immediately retained an automotive engineering expert, consulted with other experts, and ensured compliance with the Hague Convention. My office has the resources to back my appointment to a steering committee and efficiently and promptly prosecute this case.

I believe that I have learned the value of cooperation in both settlement and litigation tracks throughout my career and have a reputation for being reasonable, fair and collegial. I have demonstrated my ability to work with both plaintiffs' counsel in class action matters and with defense counsel in this context in reaching agreements for everything from discovery scheduling, preservation of evidence, and of course global resolution of claims. I have also shown my ability to work with defense counsel in settling hundreds of other types of cases in the fields of product liability and personal injury litigation over the last 25 years.

I recovered over \$2.2 million in an action involving a whistleblower against Pfizer, Inc. following a jury verdict and successful appeal of that verdict in 2012. *McClain v. Pfizer, Inc.*, US Court of Appeals for the Second Circuit, 2012 US App. LEXIS 25451. I am a lifetime member of the Million Dollar Advocates Forum, and have achieved other verdicts and settlements over a million dollars for individuals and fiduciaries of estates. I have been named by the National Trial Lawyers as a Top 100 Lawyer for 2013, 2014 and 2015. I was also ranked as a top 1% attorney by the National Association of Distinguished Counsel for 2015. I have also lectured at the University of Connecticut School of Law.

I have not reached out to other plaintiffs' counsel to support my application for appointment on a steering committee, but instead trust the Court's sound discretion. Thank you for your consideration and my resume is attached.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'B. Newman', with a long horizontal flourish extending to the right.

Bruce E. Newman

Enclosure

cc: All Counsel of Record (via Court's Electronic Notification System)